

In claim 57, line 3, before "which" add --elements--.

In claim 59, lines 2, 5 and 7, before "material" add --ceramic-like--.

In claim 123, delete "BaLa<sub>5</sub>Cu<sub>5</sub>O<sub>y</sub>"; replace therefor --Ba<sub>x</sub>La<sub>x-5</sub>Cu<sub>5</sub>O<sub>y</sub>--.

### **REMARKS**

Claims 1, 12, 24, 34, 55, 57 and 59 have been corrected as indicated by the Examiner.

Attached herewith are unsigned Affidavits (signed Affidavits will be sent in at a later time) under 37 CFR 1.32 of Dr. David B. Mitzi, Dr. Timothy Dinger and Dr. Chang C. Tsuei which states:

"That all the high temperature superconductors which have been developed based on the work of Bednorz and Mueller behave in a similar manner, conduct current in a similar manner and have similar magnetic properties.

That once a person of skill in the art knows of a specific transition metal oxide composition which is superconducting above 26°K, such a person of skill in the art, using the techniques described in the above-identified patent application, which includes all known principles of ceramic fabrication known at the time the application was filed, can make the transition metal oxide compositions encompassed by the claims in the above identified application, without undue experimentation or without requiring ingenuity beyond that expected of a person of skill in the art. This is why the work of Bednorz and Mueller was reproduced so quickly after their discovery and why so much additional work was done in his field within a short period of their discovery."

This is in agreement with the passages quoted from the book by Poole on

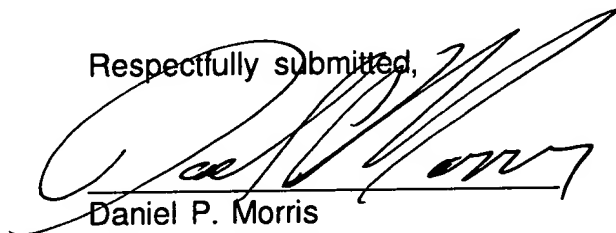
pages 14-15 of Applicants' amendment dated November 28, 1997. It is thus clear that applicants have enabled the art of high Tc superconducting oxides, methods of use and devices fabrication therewith.

In view of the changes to the claims and the remarks herein, the Examiner is respectfully requested to reconsider the above-identified application. If the Examiner wishes to discuss the application further, or if additional information would be required, the undersigned will cooperate fully to assist in the prosecution of this application.

Please charge any fee necessary to enter this paper to deposit account 09-0468.

If the above-identified Examiner's Action is a final Action, and if the above-identified application will be abandoned without further action by applicants, applicants file a Notice of Appeal to the Board of Appeals and Interferences appealing the final rejection of the claims in the above-identified Examiner's Action. Please charge deposit account 09-0468 any fee necessary to enter such Notice of Appeal.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Daniel P. Morris', is written over a horizontal line.

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